

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

— against —

07 Cr. 446 (VM)

ORDER

JOSE OCTAVIO ESPARAZA-LOPEZ,

Defendant.

VICTOR MARRERO, United States District Judge.

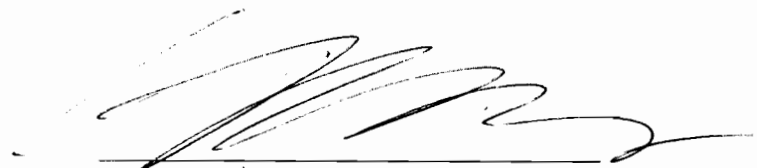
The Government (see attached letter) requests that the next conference for defendant be rescheduled from May 2, 2008 to June 13, 2008 at 10:30 a.m.

All parties to this action consent to an exclusion of the adjourned time from the Speedy Trial Act until June 13, 2008.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

SO ORDERED:

Dated: New York, New York
30 April 2008


Victor Marrero
U.S.D.J.

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**U.S. Department of Justice**

*United States Attorney
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One Saint Andrew's Plaza
New York, New York 10007*

April 29, 2008

BY FACSIMILE (212-805-6382)

Honorable Victor Marrero
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Jose Octavio Esparza-Lopez
S1 07 Cr. 446 (VM)

Dear Judge Marrero:

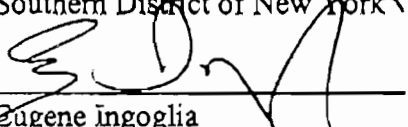
The Government respectfully submits this letter, after speaking with Your Honor's clerk, to request jointly with the defense an adjournment of the pre-trial conference scheduled for May 2, 2008 to a date convenient for the Court in June 2008.

The Government requests, with the consent of defense counsel, that the time between now and the new date of the conference, be excluded from the speedy trial calendar based on a finding that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial under 18 U.S.C. § 3161(h)(8)(A). The defense will use the time to review discovery, and to continue discussions with the Government concerning a possible pre-trial disposition of the matter.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:


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